

JS 44C/SDNY
REV.
10/01/2020

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
FRONTIER AIRLINES, INC.

DEFENDANTS
AMCK AVIATION HOLDINGS IRELAND LIMITED, ACCIPITER INVESTMENT
4 LIMITED, VERMILLION AVIATION (TWO) LIMITED, ACCIPITER
HOLDINGS DAC, WELLS FARGO TRUST COMPANY, N.A.,UMB BANK, N.A.
ATTORNEYS (IF KNOWN)

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER
Binder & Schwartz LLP, 366 Madison Avenue, 6th Floor New York, NY
10023, (212) 510-7008

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 1332, 28 U.S.C. 1391, Claims for Breach of Contract, Declaratory Judgment, and Injunctive Relief.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 28 USC 157	REAPPORTIONMENT
<input type="checkbox"/> 150 RECOVERY OF	SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL			<input type="checkbox"/> 410 ANTITRUST
OVERPAYMENT &	<input type="checkbox"/> 330 FEDERAL	INJURY PRODUCT			<input type="checkbox"/> 430 BANKS & BANKING
ENFORCEMENT	EMPLOYERS' LIABILITY	LIABILITY			<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 151 OF JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 880 DEFEND TRADE SECRETS ACT	<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 152 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> 470 RACKETEER INFLU-
RECOVERY OF	LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE		<input type="checkbox"/> 840 TRADEMARK		ORGANIZATION ACT
STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE				(RICO)
(EXCL VETERANS)	PRODUCT LIABILITY				<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 380 OTHER PERSONAL		SOCIAL SECURITY	<input type="checkbox"/> 485 TELEPHONE CONSUMER
OVERPAYMENT	INJURY	PROPERTY DAMAGE	LABOR	<input type="checkbox"/> 861 HIA (1395ff)	PROTECTION ACT
OF VETERAN'S	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 862 BLACK LUNG (923)	
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	STANDARDS ACT	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 160 STOCKHOLDERS		PRISONER PETITIONS	<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 850 SECURITIES/
SUITS		<input type="checkbox"/> 463 ALIEN DETAINEE	RELATIONS	<input type="checkbox"/> 865 RSI (405(g))	EXCHANGE
<input checked="" type="checkbox"/> 190 OTHER		<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 740 RAILWAY LABOR ACT		<input type="checkbox"/> 890 OTHER STATUTORY
CONTRACT		VACATE SENTENCE	<input type="checkbox"/> 751 FAMILY MEDICAL	FEDERAL TAX SUITS	ACTIONS
<input type="checkbox"/> 195 CONTRACT	ACTIONS UNDER STATUTES	<input type="checkbox"/> 530 HABEAS CORPUS	LEAVE ACT (FMLA)	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> 891 AGRICULTURAL ACTS
PRODUCT	CIVIL RIGHTS	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 790 OTHER LABOR	Defendant)	<input type="checkbox"/> 893 ENVIRONMENTAL
LIABILITY	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 540 MANDAMUS & OTHER	LITIGATION	<input type="checkbox"/> 871 IRS-THIRD PARTY	MATTERS
<input type="checkbox"/> 196 FRANCHISE	(Non-Prisoner)		<input type="checkbox"/> 791 EMPL RET INC	26 USC 7609	<input type="checkbox"/> 895 FREEDOM OF
			SECURITY ACT (ERISA)		INFORMATION ACT
REAL PROPERTY	<input type="checkbox"/> 441 VOTING	PRISONER CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> 896 ARBITRATION
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		<input type="checkbox"/> 899 ADMINISTRATIVE
CONDEMNATION	<input type="checkbox"/> 443 HOUSING/	<input type="checkbox"/> 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
<input type="checkbox"/> 220 FORECLOSURE	ACCOMMODATIONS	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
<input type="checkbox"/> 230 RENT LEASE &	<input type="checkbox"/> 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	ACTIONS		
EJECTMENT	DISABILITIES -				<input type="checkbox"/> 950 CONSTITUTIONALITY OF
<input type="checkbox"/> 240 TORTS TO LAND	EMPLOYMENT				STATE STATUTES
<input type="checkbox"/> 245 TORT PRODUCT	<input type="checkbox"/> 446 AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
<input type="checkbox"/> 290 ALL OTHER	<input type="checkbox"/> 448 EDUCATION				
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
 ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☐ 3 FEDERAL QUESTION
 ☒ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [x] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [x] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

FRONTIER AIRLINES, INC.

4545 Airport Way

Denver, CO 80239-7312

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

AMCK Aviation Holdings Ireland Ltd.: Corporation Trust Co., 1209 Orange Street Wilmington, DE 19801; Accipiter Investment 4 Ltd., Accipiter Holdings DAC, & Vermillion Aviation (Two) Ltd.: 28-29 Sir John Rogerson's Quay Dublin 2, IRELAND D02 EY80; Wells Fargo Trust Co., N.A., Owner Trustee, Corporation Service Co., 15 West South Temple, Suite 600 Salt Lake City, UT 84101; UMB BANK, N.A., Owner Trustee, John C. Pauls, 1010 Grand Boulevard Kansas City, MO 64106

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 4/8/2022 /s/ Eric B. Fisher
SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
[x] YES (DATE ADMITTED Mo. July Yr. 1996)
Attorney Bar Code # EF-1209

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)